



Grafton Conservation Commission

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Minutes of the July 19, 2016 Meeting at 7:00 p.m.

A meeting of the Grafton Conservation Commission was held in Conference Room F of the Grafton Municipal Center on July 19, 2016. Present were: Chairperson Sandra Brock, Heather Trudell, Scott Conway, Conservation Agent Maria Mast, and Conservation Assistant Leah Cameron. Peter Finn was absent.

Chairperson Sandra Brock opened the public meeting at 7:04 p.m.

DEP #164-602 / WP #449 – High Point Estates - Request for minor change – The Commission discussed a request for a minor change to eliminate the proposed fencing around the detention basins. The Commission consulted with DPW, who stated the fencing was not necessary. Heather Trudell made a motion, seconded by Scott Conway, to approve the minor change. The motion carried unanimously.

June 21, 2016 Meeting Minutes – Heather Trudell made a motion, seconded by Scott Conway, to approve the June 21, 2016 meeting minutes as drafted. The motion carried unanimously.

July 5, 2016 Meeting Minutes – Heather Trudell made a motion, seconded by Scott Conway, to approve the July 5, 2016 meeting minutes as drafted. The motion carried unanimously.

Discussion Item: Boat Ramp Dedication – The Commission discussed dedicating the Lake Ripple boat ramp to John Wilson. The Board of Selectmen support this idea. The Commission decided to place a small sign at the ramp itself and get a new one for the front entrance, modeled after the sign at Pell Farm. The Commission decided to hold a small dedication ceremony when the signage is installed, along with the Board of Selectmen and the Wilson Family.

Discussion Item: Summer Schedule – Staff reported that there were no scheduling issues for cancelling the August 2, 2016 meeting. The Commission decided to do so. The next scheduled meeting is August 16, 2016.

Discussion Item: Commission Vacancy – The Commission decided to reach out to the Grafton Land Trust again, as well as post a flyer at the Grafton Library, to advertise the Commission's vacancy.

Notice of Intent #164- , Application for Grafton Wetlands Protection Bylaw Permit # & Application for Grafton Stormwater Management Bylaw Permit # - 109 Adams Road - Bull Meadow Subdivision (Assessor's Map 110/32, Lot 005.A, 100) – The applicant, Gordon Lewis, proposed the construction of a 15 unit definitive subdivision with a wetland crossing off of Appaloosa Drive. Brian Marchetti of McCarty Engineering Inc. presented the project to the Commission. He forwarded the alternatives analysis, which the Commission will need to review, earlier that day. He said that through the Planning Board, a goal was set for the subdivision to preserve the maximum amount of vegetation possible. He said that the site has good soils for stormwater infiltration. He said that they tried to reduce the roadway width to reduce the amount of impervious surface proposed but that this idea was not accepted by DPW or the Planning Board. He said that the proposed stormwater system was designed to meet the Mass DEP stormwater standards and the Grafton Stormwater Bylaw Regulations. There are dry wells proposed to infiltrate the roof and driveway runoff, as well as drainage swales and rain gardens. He said that he will provide a copy of the SWPPP and the sequencing plan. He said that with the standard roadway specifications in mind, the proposal will impact 7200 square feet of wetlands. Therefore, they are requesting a waiver from the Planning Board to change the design to reduce the wetland impacts to 4990 square feet. Chairperson Sandra Brock asked if they had explored any way to avoid having to

have a wetland crossing and pointed out that this should be considered in the alternatives analysis. Brian Marchetti replied that the access easement is the only way into the back parcel and that easement ends 17 feet away from a wetland. Chairperson Sandra Brock asked if they explored decentralizing the infiltration system since they have type A soils on site. Brian Marchetti said that they had not explored this beyond the proposed rain gardens. Patrick McCarty of McCarty Engineering Inc. arrived late to the hearing. Chairperson Sandra Brock asked why the septic systems were proposed in the front yards. Brian Marchetti replied that the topography was easier and these locations kept them out of the 100 foot buffer zone. Chairperson Sandra Brock asked how they will work on less than 5000 square feet of wetlands without affecting greater than that amount. She also asked if they had looked into bridging the road instead of crossing and filling the wetland. They replied that they had looked into this and that it did not work because of the proposed turn in the road. Brian Marchetti stated that eleven acres of open space, which is mostly wetlands and contains the proposed replication area, will be conserved and that they are flexible to placing a Conservation Restriction on that land if the Commission so chooses. The Conservation Agent stated that they could consider adding to their requested waiver with the Planning Board to eliminate the required sidewalks in the crossing area. Scott Morrison from EcoTec, Inc. stated that they had received a "no take" letter from NHESP (Natural Heritage & Endangered Species Program) under their previously proposed 18 lot plans in 2014. Chairperson Sandra Brock asked what species is in the area. They said that they had not received this information. Chairperson Sandra Brock said that this information is necessary in order to assess habitat impacts. Attorney George Kiritsy spoke on behalf of 33 abutting families, voicing the concerns he raised in a letter he submitted to the Commission dated July 19, 2016. The Conservation Agent replied that the applicant has been made aware of several mistakes and that they are awaiting revised documents. Chairperson Sandra Brock added that the project will be peer reviewed for engineering and for the wetland delineation. Dave Deacon of 33 Bridle Ridge Drive explained that the area has had drainage issues with runoff from Morgan Drive and Bridle Ridge Drive. In addition, three retention ponds drain toward the parcel. He submitted his comments in a letter to the Commission as well. Chairperson Sandra Brock read his letter into the public record, in addition to letters from Jennifer and Joe Wiza and Michael and Susan Brown. Patrick McCarty said that a tie-in is included for the existing drainage from neighboring sites. Chairperson Sandra Brock said that the Commission will direct the peer reviewer to inspect the potential vernal pools on the site. Heather Trudell stated that the current plans should be submitted to NHESP to determine whether the "no take" letter still applies, the species should be determined for habitat impact assessments, a detail of the crossing should be provided, and a plan showing the riverfront area should be provided. Heather Trudell made a motion, seconded by Scott Conway, to continue the public hearing for Bull Meadow Subdivision to September 6, 2016, at the applicant's request. The motion carried unanimously.

DEP File #164-917 Notice of Intent / WP #750 Application for Grafton Wetlands Protection Bylaw Permit – 88 Westborough Road (Assessor's Map 12, Lot 12) (Continuation) – The applicant proposed the construction of an addition and the installation of stormwater control devices within the buffer zone to resource areas. Brian Milisci from Whitman & Bingham Associates, LLC discussed the project with the Commission. He said that the pipe sizing was increased and a forebay and rip rap channel had been added for the existing erosion issue. The peer review from Graves Engineering, Inc. raised a point about the site being considered a LUHPPL (Land Use with Higher Potential Pollutant Loads). Brian Milisci disagreed but stated that they are meeting the standards of one anyway. The Commission decided to include a finding in the Order of Conditions stating that they are lacking sufficient information to determine whether or not the site is considered a LUHPPL but that it meets the standards anyway. Brian Milisci said that they will pursue Certificates of Compliance for both open filings at a later date. There were no comments from the audience. Heather Trudell made a motion, seconded by Scott Conway, to close the public hearing and issue the Order of Conditions for 88 Westborough Road with the finding discussed above, as well as a special condition that a copy of the DEP permit for the treatment system be provided prior to issuing a Certificate of Compliance. The motion carried unanimously.

Notice of Intent #164-915 / Application for Grafton Wetlands Protection Bylaw Permit #748 / Application for Grafton Stormwater Management Bylaw Permit #16-1 – Grafton Hill Subdivision (Assessor's Map 47, Lot 48) (Continuation) – The applicant, Westerly Side Grafton LLC, proposed the construction of a 23 lot subdivision within the buffer zone to resource areas. Joe Antonelis and Vito Colonna of Connorstone Engineering Inc. discussed the project with the Commission. Joe Antonelis submitted a copy of the deed restriction language earlier that day. The Conservation Agent mentioned that one comment from the EcoTec, Inc. peer review had not been addressed – bank and land under water needing to be quantified on the Notice of Intent. The applicant agreed to accept the bond figure that will be determined from peer review. Heather Trudell made a motion, seconded by Scott Conway, to grant the requested waiver to allow the replication work to occur within the 25 foot no disturb zone. The motion carried unanimously. Heather Trudell made a motion, seconded by Scott Conway, to grant the requested waiver to allow the proposed filling to occur within the 25 foot no disturb zone. The motion carried unanimously. Heather Trudell made a motion, seconded by Scott Conway, to close the public hearing for the Grafton Hill Subdivision. The motion carried unanimously. The Commission discussed the following special conditions: the 25 foot no disturb zone needs to be shown on the plans around the proposed replication area, the 25 foot no disturb zone around the wetland on sheet two needs to be revised for accuracy, 25 foot no disturb signage locations need to be noted on the plans, the limit of disturbance shall be located ten feet horizontally outside of the proposed grading for the replication area in the open space and a 20 foot wide path within the sewer easement, any reference to “hay” bales shall be eliminated from the plans, a surety bond shall be required for the construction of the replication area, including peer review and two years of monitoring inspections, the final stabilization and erosion control of all areas disturbed by the project, and the construction of the stormwater infrastructure, in an amount to be determined through peer review and coordinated with the Planning Board so as not to duplicate coverage, the stormwater management report maintenance agreement shall state that the developer is in charge of the structures until they are accepted and taken over by the town, a copy of the 401 restrictive covenant shall be provided, and a copy of the open space easement shall be provided and is subject to review by the Commission. The Commission discussed findings for the two waivers granted above, as well as the fact that approximately 125 linear feet of bank will be disturbed and replicated on site, as calculated by Vito Colonna during the hearing. The Commission determined that all of the pending revisions mentioned above shall be dealt with via a revised plan set, to be submitted prior to the commencement of work on site. Heather Trudell made a motion, seconded by Scott Conway, to extend the time frame for the Commission to issue the Order of Conditions beyond the required 21 days, to the September 6, 2016 meeting, at the applicant's request. The motion carried unanimously.

Discussion Item: Appointing a Lake Quinsigamond Commission rep – The Commission asked for more information regarding the duties involved and whether co-reps can be appointed. Staff will follow up on these questions.

Heather Trudell made a motion, seconded by Scott Conway, to adjourn the meeting at 9:36 p.m. The motion carried unanimously.

The following items were postponed to the August 16, 2016 meeting:

Requests for Certificates of Compliance:

- DEP File #164-610 / WP #457 – High Point Estates Restoration
- DEP File #164-611 / WP #458 – High Point Estates Off-Site
- DEP File #164-656 / WP #501 – 96 High Point Drive, Lot 2
- DEP File #164-658 / WP #503 – 92 High Point Drive, Lot 4
- DEP File #164-681 / WP #526 – 88 High Point Drive, Lot 6
- DEP File #164-743 / WP #583 – 84 High Point Drive, Lot 8
- DEP File #164-850 / WP #685 – 78 High Point Drive, Lot 11
- DEP File #164-742 / WP #582 – 54 High Point Drive, Lot 24
- WP #637 – 46 High Point Drive, Lot 26

Documents discussed located in the Conservation Commission office:

Request for Minor Change for High Point Estates

June 21, 2016 & July 5, 2016 meeting minutes

Notice of Intent, Application for Grafton Wetlands Protection Bylaw Permit & Application for Grafton Stormwater Management Bylaw Permit for Bull Meadow Subdivision

Letters of Opposition to Bull Meadow Subdivision from: Attorney George Kiritsy, Dave Deacon, Jennifer & Joe Wiza, and Michael & Susan Brown

Notice of Intent, Application for Grafton Wetlands Protection Bylaw Permit, Order of Conditions & Grafton Wetlands Protection Bylaw Permit for 88 Westborough Road

Notice of Intent, Application for Grafton Wetlands Protection Bylaw Permit, Application for Grafton Stormwater Management Permit for: Grafton Hill Subdivision

Requests for Certificates of Compliance for: High Point Estates Restoration, High Point Estates Off-Site, 96, 92, 88, 84, 78, 54, 46 High Point Dr

Agent's Report to the Commissioners dated July 19, 2016

Minutes drafted by Leah Cameron

Approved on August 16, 2016